

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MARK RANDALL TAYLOR,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-07-1059-M
)	
JUSTIN JONES,)	
)	
Respondent.)	

ORDER


On February 27, 2008, United States Magistrate Judge Valerie Couch issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the Petition for a Writ of Habeas Corpus be denied. The parties were advised of their right to object to the Report and Recommendation by March 18, 2008. Petitioner was advised of his right to object to the Report and Recommendation, and on March 17, 2008, petitioner filed his objection.

In his objection, petitioner contends that he was deprived of a defense because the relevant statute on the date the crime was charged had higher drug possession requirement than a later amendment. Petitioner also asserts that the prosecution did not establish the amount of drugs in possession beyond a reasonable doubt. Having carefully reviewed petitioner's objection and the court file in this matter, the Court finds, for the reasons set forth in the Report and Recommendation, that petitioner's petition for writ of habeas corpus and related motions should be denied.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on February 27, 2008;
- (2) DENIES the Petition for Writ of Habeas Corpus; and
- (3) ORDERS that judgment in favor of respondent issue forthwith.

IT IS SO ORDERED this 19th day of March, 2008.



VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE